

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JON PAUL MATA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:22-cv-01517-CDB (SS)

ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND REMANDING ACTION PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)

(Docs. 12, 15)

Plaintiff Jon Paul Mata ("Plaintiff") seeks judicial review of a final decision of the Commissioner of Social Security ("Commissioner" or "Defendant") denying his application for disability benefits under the Social Security Act. (Doc. 1). The matter is currently before the Court on the parties' briefs, which were submitted without oral argument. (Docs. 12, 15). Upon review of the Administrative Record ("AR") and the parties' briefs, the Court finds and rules as follows.¹

I. BACKGROUND

A. Administrative Proceedings and ALJ's Decision

On May 29, 2020, Plaintiff filed a Title II application for disability insurance benefits and Title XVI application for supplemental security income, alleging a period of disability beginning

¹ On January 23, 2023, after the parties consented to the jurisdiction of a U.S. Magistrate Judge for all further proceedings pursuant to 28 U.S.C. § 636(c)(1), this action was reassigned to a U.S. Magistrate Judge. (Doc. 10).

1 January 1, 2017. (AR 16, 207-215). Plaintiff's application was denied and, upon reconsideration,
2 denied again. (AR 56-113). Plaintiff then filed a request for a hearing before an Administrative
3 Law Judge ("ALJ"). (AR 166-175, 191-194). On August 31, 2021, the assigned ALJ, Matilda
4 Surh, held a hearing; Plaintiff attended with counsel Richard Procida, as did vocational expert
5 ("VE") Laurence S. Hughes. (AR 16, 32-55). The ALJ issued her decision on October 6, 2021,
6 finding Plaintiff not disabled. (AR 16-31). On September 23, 2022, the Appeals Council denied
7 Plaintiff's request for review. (AR 1-6). Thereafter, Plaintiff filed the instant action.

8 In her decision, the ALJ used the five-step sequential evaluation process promulgated by
9 the Social Security Administration for determining whether an individual is disabled. (AR 17-18;
10 citing 20 C.F.R. 404.1520(a) & 416.920(a)). At step one, the ALJ found that Plaintiff had not
11 engaged in substantial gainful activity since his alleged onset date of January 1, 2017. At step two,
12 the ALJ concluded that Plaintiff had the following severe impairments: rheumatoid arthritis, lupus,
13 and peripheral neuropathy. (AR 18). The ALJ also found that Plaintiff's obesity was a non-severe
14 impairment. (AR 19). At step three, after identifying these impairments, the ALJ found that
15 Plaintiff did not have an impairment, or any combination of impairments, that meets or medically
16 equals the severity of one of the listed impairments in 20 C.F.R. Part 404, Subpart P, Appendix 1.
17 (AR 19-20). The ALJ reached this determination by considering the four broad functional areas of
18 mental functioning listed in the "paragraph B" criteria. *See* 20 C.F.R. Pt. 404, Subpt. P, App. 1.
19 The first functional area is understanding, remembering, or applying information. The second
20 functional area is interacting with others. The third functional area is concentrating, persisting, or
21 maintaining pace. Lastly, the fourth functional area is adapting or managing oneself. The ALJ
22 found that the record did not support a "marked" limitation in any of the four areas. (AR 19).

23 The ALJ found Plaintiff had the residual functional capacity ("RFC") to perform sedentary
24 work as defined in 20 C.F.R. §§ 404.1567(c) and 416.967(a). (AR 20-24). The ALJ determined
25 that Plaintiff's impairments could reasonably be expected to cause his alleged symptoms but the
26 intensity, persistence, and limiting effects of those symptoms were not entirely consistent with the
27 evidence in the record. (AR 20-21). The ALJ, citing to treatment notes, prior administrative
28 medical findings, activities of daily living, and a third-party statement, determined that the evidence

1 of record did not provide support for the existence of greater limitations above those assessed in
2 the RFC regarding Plaintiff's impairments. (AR 20-24).

3 At step four, the ALJ found that Plaintiff was unable to perform any past relevant work.
4 (AR 24). The ALJ concluded by discussing the VE's testimony and the Dictionary of Occupational
5 Titles ("DOT"), finding that Plaintiff would be able to perform the requirements of jobs that exist
6 in significant numbers in the national economy, namely document preparer, addresser, and stuffer.
7 (AR 24-25).

8 The ALJ found Plaintiff had not been under a disability from January 1, 2017, through the
9 date of the decision. (AR 25-26).

10 **B. Medical Record and Hearing Testimony**

11 The relevant hearing testimony and medical record were reviewed by the Court and will be
12 referenced below as necessary to this Court's decision.

13 **II. STANDARD OF REVIEW**

14 A district court's review of a final decision of the Commissioner of Social Security is
15 governed by 42 U.S.C. § 405(g). The scope of review under § 405(g) is limited; the
16 Commissioner's decision will be disturbed "only if it is not supported by substantial evidence or is
17 based on legal error." *Hill v. Astrue*, 698 F.3d 1153, 1158 (9th Cir. 2012). "Substantial evidence"
18 means "relevant evidence that a reasonable mind might accept as adequate to support a
19 conclusion." *Id.* at 1159 (quotation and citation omitted). Stated differently, substantial evidence
20 equates to "more than a mere scintilla[,] but less than a preponderance." *Id.* (quotation and citation
21 omitted). "[I]t is such relevant evidence as a reasonable mind might accept as adequate to support
22 a conclusion." *Andrews v. Shalala*, 53 F.3d 1035, 1039 (9th Cir. 1995) (citation omitted). In
23 determining whether the standard has been satisfied, a reviewing court must consider the entire
24 record as a whole rather than searching for supporting evidence in isolation. *Id.*

25 The court will review only the reasons provided by the ALJ in the disability determination
26 and may not affirm the ALJ on a ground upon which she did not rely. Social Security Act § 205,
27 42 U.S.C. § 405(g). In reviewing a denial of benefits, a district court may not substitute its
28 judgment for that of the Commissioner. "The court will uphold the ALJ's conclusion when the

1 evidence is susceptible to more than one rational interpretation.” *Tommasetti v. Astrue*, 533 F.3d
2 1035, 1038 (9th Cir. 2008). Further, a district court will not reverse an ALJ’s decision on account
3 of an error that is harmless. *Id.* An error is harmless where it is “inconsequential to the [ALJ’s]
4 ultimate nondisability determination.” *Id.* (quotation and citation omitted). The party appealing
5 the ALJ’s decision generally bears the burden of establishing that it was harmed. *Shinseki v.
6 Sanders*, 556 U.S. 396, 409-10 (2009).

7 A claimant must satisfy two conditions to be considered “disabled” and eligible for benefits
8 within the meaning of the Social Security Act. First, the claimant must be “unable to engage in any
9 substantial gainful activity by reason of any medically determinable physical or mental impairment
10 which can be expected to result in death or which has lasted or can be expected to last for a
11 continuous period of not less than twelve months.” 42 U.S.C. § 1382c(a)(3)(A). Second, the
12 claimant’s impairment must be “of such severity that he is not only unable to do his previous
13 work[,] but cannot, considering his age, education, and work experience, engage in any other kind
14 of substantial gainful work which exists in the national economy.” 42 U.S.C. §
15 1382c(a)(3)(B).

16 The Commissioner has established a five-step sequential analysis to determine whether a
17 claimant satisfies the above criteria. *See* 20 C.F.R. § 416.920(a)(4)(i)-(v). At step one, the
18 Commissioner considers the claimant’s work activity. 20 C.F.R. § 416.920(a)(4)(i). If the claimant
19 is engaged in “substantial gainful activity,” the Commissioner must find that the claimant is not
20 disabled. 20 C.F.R. § 416.920(b).

21 If the claimant is not engaged in substantial gainful activity, the analysis proceeds to step
22 two. At this step, the Commissioner considers the severity of the claimant’s impairment. 20 C.F.R.
23 § 416.920(a)(4)(ii). If the claimant suffers from “any impairment or combination of impairments
24 which significantly limits [his or her] physical or mental ability to do basic work activities,” the
25 analysis proceeds to step three. 20 C.F.R. § 416.920(c). If the claimant’s impairment does not
26 satisfy this severity threshold, however, the Commissioner must find that the claimant is not
27 disabled. *Id.*

28 At step three, the Commissioner compares the claimant’s impairment to impairments

1 recognized by the Commissioner to be so severe as to preclude a person from engaging in
2 substantial gainful activity. 20 C.F.R. § 416.920(a)(4)(iii). If the impairment is as severe or more
3 severe than one of the enumerated impairments, the Commissioner must find the claimant disabled
4 and award benefits. 20 C.F.R. § 416.920(d).

5 If the severity of the claimant's impairment does not meet or exceed the severity of the
6 enumerated impairments, the Commissioner must pause to assess the claimant's "residual
7 functional capacity." Residual functional capacity (RFC), defined generally as the claimant's
8 ability to perform physical and mental work activities on a sustained basis despite his or her
9 limitations (20 C.F.R. § 416.945(a)(1)), is relevant to both the fourth and fifth steps of the analysis.

10 At step four, the Commissioner considers whether, in view of the claimant's RFC, the
11 claimant is capable of performing work that he or she has performed in the past (past relevant
12 work). 20 C.F.R. § 416.920(a)(4)(iv). If the claimant is capable of performing past relevant work,
13 the Commissioner must find that the claimant is not disabled. 20 C.F.R. § 416.920(f). If the
14 claimant is incapable of performing such work, the analysis proceeds to step five.

15 At step five, the Commissioner considers whether, in view of the claimant's RFC, the
16 claimant is capable of performing other work in the national economy. 20 C.F.R. §
17 416.920(a)(4)(v). In making this determination, the Commissioner must also consider vocational
18 factors such as the claimant's age, education, and past work experience. *Id.* If the claimant is
19 capable of adjusting to other work, the Commissioner must find that the claimant is not disabled. 20
20 C.F.R. § 416.920(g)(1). If the claimant is not capable of adjusting to other work, the analysis
21 concludes with a finding that the claimant is disabled and is therefore entitled to benefits. *Id.*

22 The claimant bears the burden of proof at steps one through four above. *Tackett v. Apfel*,
23 180 F.3d 1094, 1098 (9th Cir. 1999). If the analysis proceeds to step five, the burden shifts to the
24 Commissioner to establish that (1) the claimant is capable of performing other work; and (2) such
25 work "exists in significant numbers in the national economy." 20 C.F.R. § 416.960(c)(2); *Beltran*
26 *v. Astrue*, 700 F.3d 386, 389 (9th Cir. 2012).

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1 **III. ISSUES AND ANALYSIS**

2 Plaintiff seeks judicial review of the Commissioner's final decision denying his application.
3 (Doc. 1). Plaintiff raises a single issue for this Court's review: whether the ALJ erred by failing to
4 adequately consider the impact of Plaintiff's obesity on other impairments. (Doc. 12 at 3-7).

5 **A. Parties' Arguments**

6 Plaintiff asserts that the ALJ erred by failing to adequately consider the impact of Plaintiff's
7 obesity on his other physical conditions, such as rheumatoid arthritis, lupus, and peripheral
8 neuropathy. (Doc. 12 at 3). Plaintiff contends that the ALJ's analysis was inadequate because it
9 failed to discuss the "nature, severity and functions effects" as required by *Celaya v. Halter*, 332
10 F.3d 1177, 1180 (9th Cir. 2003). Plaintiff argues that the ALJ's analysis "is too narrow" and the
11 "ALJ's rationale is not consistent with the litmus test outlined by SSR 19-2p," as the ALJ is
12 "supposed to consider all symptoms." *Id.* at 5.

13 Plaintiff notes that "joint pain was a major component of Plaintiff's disability" and that he
14 "had pain in his hips, which are weight bearing joints." Plaintiff points out that obesity frequently
15 is identified alongside his other diagnoses in the record and, on multiple occasions, he is described
16 as having an elevated body mass index ("BMI"). He was provided "face-to-face behavioral
17 counseling for obesity" as well as nutritional advice by physician Silvia Diego. *Id.* Plaintiff was
18 advised to use a cane or walker, to take short rest breaks, and to lose weight. Given this record
19 evidence, Plaintiff argues that the ALJ's inadequate analysis of his obesity under SSR 19-2p was
20 not harmless, as the decision limited him to work at the lightest exertional level, namely sedentary
21 work, and any "erosion in the sedentary job base could eliminate all work in the United States
22 economy ... rendering him disabled." *Id.* at 6.

23 Defendant argues that the ALJ properly found obesity to be a non-severe impairment and,
24 in doing so, the ALJ adequately evaluated the medical opinion evidence, Plaintiff's subjective
25 complaints, and Plaintiff's daily activities. (Doc. 15 at 7-9). Defendant contends that the ALJ
26 assessed Plaintiff's obesity at step two and considered the impairment in the RFC and, as "errors at
27 step two are harmless and the ALJ continued through the sequential evaluation," the ALJ, therefore,
28 "did not commit any reversible error." *Id.* at 9. Defendant notes that Plaintiff did not "assert obesity

1 on his disability forms” and neither he nor his attorney “testified at the hearing that Plaintiff’s
 2 obesity was the cause of his inability to work.” Defendant argues that none of the evidence
 3 establishes that Plaintiff “met or equaled any listing.” *Id.* at 10-11 (citing *Burch v. Barnhart*, 400
 4 F.3d 676, 681 (9th Cir. 2005)).

5 **B. Analysis**

6 Social Security Rulings (“SSRs”) “do not have the force of law” but do “constitute Social
 7 Security Administration interpretations of the statute it administers and of its own regulations” and,
 8 thus, courts defer to SSRs “unless they are plainly erroneous or inconsistent with the [Social
 9 Security] Act or regulations.” *Quang Van Han v. Bowen*, 882 F.2d 1453, 1457 (9th Cir. 1989).

10 The Social Security Administration removed obesity from the listings of impairments in
 11 1999 and, since then, has issued SSRs addressing how obesity is to be considered when assessing
 12 disability. SSR 00-3p was in effect starting in 2000 and was superseded by SSR 02-1p in 2002.
 13 SSR 02-1p was superseded by SSR 19-2p in 2019. *See C.C. v. O’Malley*, No. 23-CV-00408-LJC,
 14 2024 WL 1354437, at *4 (N.D. Cal. Mar. 28, 2024) (citing SSR 19-2p, Titles II & XVI: Evaluating
 15 Cases Involving Obesity).

16 Under SSR 19-2p, the Commissioner’s current governing SSR, the functional limitations
 17 caused by the medically determinable impairment (“MDI”) of obesity, “alone or in combination
 18 with another impairment(s), may medically equal a listing if, for example, obesity increases the
 19 severity of a coexisting or related impairment(s) to the extent that the combination of impairments
 20 medically equals a listing.” *Id.* (quotations omitted). “Under the SSR, the Social Security
 21 Administration will not make general assumptions about the severity or functional effects of obesity
 22 combined with another impairment(s), but instead evaluates each case based on the information in
 23 the case record to determine how obesity affects other impairments.” *Id.* “As with any other
 24 impairment, the Social Administration must explain how it reached its conclusion on whether
 25 obesity causes any limitations.” *Id.*

26 Plaintiff cites to *Celaya* for the proposition that ALJ’s analysis of Plaintiff’s obesity was
 27 inadequate because it failed to discuss the nature, severity, and functional effects of obesity. (Doc.
 28 12 at 5). In *Celaya*, the plaintiff filed her disability application when the pre-1999 listing for obesity

1 was in effect. The plaintiff argued that she should have qualified automatically for disability status
 2 based on her height and weight. The record did not show she consistently met the weight threshold
 3 for her height, however. *Celaya*, 332 F.3d 1177, 1180–81 & n.1.

4 The Ninth Circuit held that, even if plaintiff's obesity did not meet the listing, “[g]iven the
 5 potential effect of obesity on [plaintiff's diabetes and hypertension], the ALJ had a responsibility
 6 to consider their interactive effect. In determining whether a claimant equals a listing under step
 7 three of the Secretary's disability evaluation process, the ALJ must explain adequately his
 8 evaluation of alternative tests and the combined effects of the impairments. The ALJ was
 9 responsible for determining the effect of Celaya's obesity upon her other impairments, and its effect
 10 on her ability to work and general health, given the presence of those impairments.” *Id.* at 1182
 11 (citation and quotations omitted).

12 The Ninth Circuit explained that the “ALJ's exclusion of obesity from his analysis is error
 13 in that he was addressing an illiterate, unrepresented claimant who very likely never knew that she
 14 could assert obesity as a partial basis for her disability. The ALJ always has a ‘special duty to fully
 15 and fairly develop the record and to assure that the claimant's interests are considered ... even when
 16 the claimant is represented by counsel.’” *Id.* at 1183 (emphasis in original; citing *Brown v. Heckler*,
 17 713 F.2d 441, 443 (9th Cir.1983)).

18 Defendant cites to *Burch* for the proposition that none of the evidence set forth by Plaintiff
 19 establishes that he met or equaled any listing. (Doc. 15 at 10-11). At the time of the events
 20 discussed in *Burch*, SSR 02-1p was in effect. The Ninth Circuit explained that “Burch's entire
 21 obesity argument relies on this Court's recent decision in [*Celaya*]. However, that case is
 22 distinguishable from the case at bar.” The Ninth Circuit set forth that “[h]ere, the record does not
 23 indicate that Burch's obesity exacerbated her other impairments (other than possibly her back pain).
 24 More significantly, Burch was represented by counsel.” Further, “the ALJ did not find that Burch's
 25 obesity was a ‘severe’ impairment.” *Burch*, 400 F.3d at 682.

26 The Ninth Circuit discussed the record evidence cited by the ALJ, noting that Burch was
 27 considered “somewhat obese,” that obesity “likely contributed to her back discomfort,” she had the
 28 “RFC to perform a significant (though not full) range of light work,” and concluding that the “ALJ

1 adequately considered Burch's obesity in his RFC determination. Burch has not set forth, and there
2 is no evidence in the record, of any functional limitations as a result of her obesity that the ALJ
3 failed to consider." *Id.* at 684 (citations and quotations omitted).

4 Importantly, the Ninth Circuit acknowledged that "[t]here was no evidence before the ALJ,
5 and none in the record, which states that claimant's obesity limits her functioning. Neither
6 treatment notes nor any diagnoses addressed claimant's limitations due to obesity. The medical
7 record is silent as to whether and how claimant's obesity might have exacerbated her condition.
8 Moreover, claimant did not present any testimony or other evidence at her hearing that her obesity
9 impaired her ability to work." *Id.* at 683.

10 Applying the *Celeya/Burch* holdings here, the ALJ found Plaintiff had obesity but did not
11 find it to be a severe impairment:

12 The claimant has obesity. His body mass index was above 35 at
13 times. Despite his body mass index, the claimant generally
14 exhibited no significant cardiovascular or respiratory abnormalities.
15 Additionally, he generally exhibited normal gait. Nonetheless,
16 obesity shall be considered in determining the residual functional
17 capacity pursuant to SSR 19-2p.

18 (AR 19; citing AR 549, 559, 589, 597, 601, 973).

19 In the RFC, the ALJ found Plaintiff could perform sedentary work:

20 After careful consideration of the entire record, I find that the
21 claimant has the residual functional capacity to perform sedentary
22 work as defined in 20 CFR 404.1567(a) and 416.967(a) except can
23 lift 20 pounds occasionally and 10 pounds frequently; stand or walk
24 for two out of eight hours; no limits on sitting; only occasional
25 ramps or stairs; no ladders, ropes or scaffolds; occasional balance,
26 stoop, kneel, crouch, or crawl; frequent bilateral handling and
27 fingering.

28 (AR 20).

29 Aside from the above discussion (AR 19), the ALJ briefly mentions obesity twice elsewhere
30 in her decision, both times in passing when explaining the RFC, without further elaboration. *See*
31 (AR 22-23).

32 The facts before the Court offer similarities with those in *Burch*. Both the Plaintiff here and
33 the plaintiff in *Burch* were represented by counsel and did not present testimony at their hearings

1 regarding limitations from obesity. (AR 34-54, 228). Both the ALJ here and the ALJ in *Burch*
2 found obesity to be a non-severe impairment. (AR 19). In *Burch*, there was no record evidence of
3 the claimant's obesity limiting her functioning or exacerbating her conditions and, thus, the ALJ
4 adequately considered the plaintiff's obesity in the RFC. Here, however, there is some record
5 evidence of a possible link between Plaintiff's impairments and obesity.

6 Turning to the record evidence, first, Defendant is correct that obesity is not mentioned by
7 either Plaintiff or his attorney in the disability report (AR 228) nor during the hearing before the
8 ALJ (*see* AR 34-54). Nevertheless, Plaintiff contends that the record shows "consistent medical
9 evidence supporting Plaintiff's obesity." (Doc. 12 at 7). For instance, Plaintiff notes that managing
10 obesity was listed as a goal in his medical records. *Id.* at 6. The record cited in support, dated
11 August 26, 2020, and prepared by nurse Analene Z. Cesar, includes a table titled "Comprehensive
12 Care Plan." (AR 1042-43). In the table are five "Problems," one of which is "Obesity." (AR 1043).
13 However, the row for "Obesity," unlike every other row, contains no text regarding any care plan.
14 There is a "Start Date" set for October 16, 2019, without any other text, and no details under the
15 accompanying columns titled "Goals," "Objectives," and "Interventions," respectively. *See id.*
16 Every other row aside from "Obesity" includes details regarding a care plan, with each such passage
17 signed by a care provider, with a corresponding date and time. *See* (AR 1042-43). As such, this
18 record is ambiguous as to its conclusions regarding obesity.

19 However, other records cited by Plaintiff show counseling for obesity and mention potential
20 impact on joints. For example, a record signed by physician Silvia Diego and dated February 11,
21 2021, states that Dr. Diego had a "[f]ace-to-face behavioral counseling for obesity" with Plaintiff,
22 for "15 minutes." The record mentions recommending "healthy weight as extra weight as extra
23 strain [sic] on the joints." (AR 945). Another record signed by Dr. Diego and dated May 13, 2021,
24 shows another such counseling session and includes the same language regarding extra weight as
25 an extra strain on the joints. (AR 937). Earlier records from Dr Diego, signed and dated August
26 22, 2020, and concerning a visit on August 17, 2020, recommend Plaintiff "[r]each and stay at a
27 healthy weight ... Extra weight can strain the joints, especially the knees and hips, and make the
28 pain worse. Losing even a few pounds may help." (AR 879, 921, 965).

1 Other records refer to obesity but do not discuss it and, aside from recommending a follow-
 2 up with a primary care physician, do not connect it to any other impairments nor provide any
 3 resulting limitations. *See, e.g.*, (AR 835, 841, 1005, 1028, 1037). Still other records show a BMI
 4 ranging from approximately 35 to approximately 41. *See* (AR 309, 371, 382, 386, 388, 394, 943,
 5 984-85, 1013, 1046). Lastly, other records cited by Plaintiff in his motion do not set forth any clear
 6 findings concerning obesity and include no limitations nor discussion thereto. *See* (AR 327-28,
 7 405-08, 439, 446).

8 Taken in total, unlike in *Burch*, it cannot be said here that the “medical record is silent as to
 9 whether and how claimant’s obesity might have exacerbated [his] condition.” *Burch*, 400 F.3d at
 10 683. The records from Dr. Diego suggest a connection between Plaintiff’s obesity and the strain
 11 on his joints and pain. The ALJ found Plaintiff’s rheumatoid arthritis to be a severe impairment.
 12 (AR 18). Rheumatoid arthritis is a disease that affects the joints.² Additionally, Plaintiff’s BMI is
 13 consistently noted in the record as being 35 or above.

14 The ALJ provides, in total, only two sentences concerning obesity and its possible impact
 15 on other impairments: “Despite his body mass index, the claimant generally exhibited no significant
 16 cardiovascular or respiratory abnormalities. Additionally, he generally exhibited normal gait.”
 17 (AR 19). However, a lack of cardiovascular or respiratory abnormalities and a generally normal
 18 gait do not provide a sufficient explanation concerning how obesity impacted Plaintiff’s other
 19 impairments and resulting limitations, for example, relating to the strain on his joints or pain, or
 20 whether obesity caused other, less obvious, symptoms. Indeed, SSR 19-2p sets forth that the
 21 “combined effects of obesity with another impairment(s) may be greater than the effects of each of
 22 the impairments considered separately. For example, someone who has obesity and arthritis
 23 affecting a *weight-bearing joint* may have more pain and functional limitations than the person
 24 would have due to the arthritis alone.” SSR 19-2p; Titles II and XVI: Evaluating Cases Involving
 25 Obesity, 84 FR 22924-01 (emphasis added); *see Sasser v. Comm’r of Soc. Sec. Admin.*, No. CV-
 26 22-01725-PHX-DJH, 2024 WL 1298435, at *3 (D. Ariz. Mar. 27, 2024) (“The ALJ also stated that

27 ² See “Rheumatoid Arthritis,” National Institute of Arthritis and Musculoskeletal and Skin
 28 Diseases, accessible at <https://www.niams.nih.gov/health-topics/rheumatoid-arthritis> (last visited October
 20, 2025).

1 Plaintiff's obesity was not a severe impairment and that her 'weight, including the impact on her
 2 ability to ambulate as well as the effect to her other body systems, has been considered when
 3 determining the claimant's obesity was nonsevere.' However, the ALJ did not discuss how
 4 Plaintiff's obesity causes limitations on Plaintiff's mental capabilities or whether Plaintiff's obesity
 5 caused other less obvious symptoms."); *see also C.C. v. O'Malley*, 2024 WL 1354437, at *9 ("The
 6 ALJ rejected that testimony based in large part on medical records that sometimes indicated normal
 7 gait and abilities, such as standing on heels and toes, which do not directly speak to C.C.'s ability
 8 to walk, stand, or sit for sustained periods.") (citation omitted).

9 An ALJ's mere acknowledgment of obesity as an impairment is insufficient when the ALJ
 10 fails to provide "meaningful analysis" to "explain how Plaintiff's obesity impacts her other
 11 impairments or why he does not factor Plaintiff's obesity in her RFC assessment." *Mary Elizabeth*
 12 *C. v. Saul*, No. CV 19-3723-KS, 2020 WL 2523116, at *16 (C.D. Cal. May 18, 2020) (citing
 13 *Celaya*, 332 F.3d at 1182). Here, the record presents evidence of Plaintiff's obesity exacerbating
 14 his conditions and the ALJ failed to provide a meaningful analysis of how obesity impacts
 15 Plaintiff's other impairments, thereby failing to explain how the ALJ reached her conclusion on
 16 whether obesity caused any limitations, as required by SSR 19-2p and *Celaya*. The ALJ mentioning
 17 simply that certain limitations in the RFC were included "due to a combination of the claimant's
 18 obesity" and other conditions is insufficient. (AR 22-23); *see Yolanda P. v. Kijakazi*, No. 1:20-cv-
 19 03245-JAG, 2022 WL 17248127, at *4 (E.D. Wash. Sept. 30, 2022) (holding that ALJ's failure to
 20 address what effects plaintiff's obesity had on her knee impairments supported remand,
 21 notwithstanding ALJ's conclusory assertion that a restriction to sedentary work with additional
 22 conditions sufficiently accommodated any limitations caused by obesity).

23 Because the record medical evidence suggests a possible connection between Plaintiff's
 24 rheumatoid arthritis and his obesity, the ALJ's failure to specifically address obesity in combination
 25 with Plaintiff's other impairments is legal error that is not harmless. *See Peterson v. Barnhart*, 213
 26 Fed. Appx. 600, 605 (9th Cir. 2006) ("it is the ALJ's responsibility to determine the effect of a
 27 claimant's obesity on her other impairments, as well as its effect on her overall health and ability
 28 to work, given the existence of other impairments.") (citing *Celaya*, 332 F.3d at 1182); *C.C. v.*

1 *O'Malley*, 2024 WL 1354437, at *10 (“It is the ALJ’s role to resolve this sort of mixed record, but
 2 the ALJ has a responsibility in such cases to explain the reasoning behind that decision, taking into
 3 account all relevant impairments.”) (citing SSR 19-2p & *Celaya*, 332 F.3d at 1183); *Young v.*
 4 *Comm'r of Soc. Sec.*, No. 1:22-CV-00161-CDB (SS), 2024 WL 5186826, at *14 (E.D. Cal. Dec.
 5 20, 2024) (“As the ALJ concluded, degenerative disc disease of the cervical and lumbar spine is a
 6 severe impairment and Dr. Lobo’s medical records reflect that Plaintiff’s obesity may aggravate
 7 this other impairment … The ALJ did not address these points in her decision and thus the record
 8 is undeveloped.”).

9 Because the ALJ’s failure to address *how* Plaintiff’s obesity affected his other impairments
 10 deprives the Court of “reviewable, on-the-record findings,” the Court will not reach the question of
 11 whether the record could, in fact, support the ALJ’s conclusions. *See C.C. v. O’Malley*, 2024 WL
 12 1354437, at *10 (citing *Celaya*, 332 F.3d at 1183).

13 * * * *

14 The decision whether to remand for further proceedings or simply to award benefits is
 15 within the discretion of the Court. *See Salvador v. Sullivan*, 917 F.2d 13, 15 (9th Cir. 1990).
 16 Remand for further proceedings is warranted where additional administrative proceedings could
 17 remedy defects in the decision. *See Kail v. Heckler*, 722 F.2d 1496, 1497 (9th Cir. 1984). Remand
 18 for the payment of benefits is appropriate where no useful purpose would be served by further
 19 administrative proceedings;³ where the record has been fully developed;⁴ or where remand would
 20 unnecessarily delay the receipt of benefits to which the disabled Plaintiff is entitled.⁵

21 Here, Plaintiff seeks an order from the Court remanding the action for further proceedings
 22 (Doc. 12 at 7) and the Commissioner argues that the Court should affirm the ALJ’s decision finding
 23 Plaintiff not disabled (Doc. 15 at 13). The Court concludes that remand for further proceedings is
 24 warranted because additional administrative proceedings may remedy the deficiencies in the ALJ’s
 25 decision noted herein. *See Treichler v. Comm'r of Soc. Sec. Admin.*, 775 F.3d 1090, 1105 (9th Cir.
 26 2014) (“Where … an ALJ makes a legal error, but the record is uncertain and ambiguous, the proper

27 ³ *Kornock v. Harris*, 648 F.2d 525, 527 (9th Cir. 1980).

28 ⁴ *Hoffman v. Heckler*, 785 F.2d 1423, 1425 (9th Cir. 1986).

⁵ *Bilby v. Schweiker*, 762 F.2d 716, 719 (9th Cir. 1985).

1 approach is to remand the case to the agency.”).

2 **IV. CONCLUSION**

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff’s motion for summary judgment (Doc. 12) is GRANTED;
- 5 2. This matter is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for
- 6 further proceedings consistent with this decision; and
- 7 3. The Clerk of the Court shall enter judgment in favor of Plaintiff and against
- 8 Defendant, terminate any deadlines, and close this case.

9 IT IS SO ORDERED.

10 Dated: October 22, 2025


UNITED STATES MAGISTRATE JUDGE

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